

REMARKS

This Amendment responds to the non-final Office Action mailed August 21, 2008.

Claims 1-3 and 5-10 are pending. Claims 5-7 have been amended. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and request reconsideration of the application in this regard.

Rejection of Claims Under 35 U.S.C. § 103

Claims 1-3 and 5-10 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,569,500 to Sigel et al. (hereinafter *Sigel*) in view of U.S. Patent No. 6,426,034 to McComas et al. (hereinafter *McComas*). Applicants respectfully disagree with the rejection for the reasons set forth in the following remarks.

The Examiner contends in the Office Action that an electron beam inherently produces “a localized plasma, as defined.” Applicants are not certain of the relevance of the Examiner’s statement in relation to the ground of rejection. *Sigel* fails to disclose that the object being treated is exposed to a plasma. It is not inherent in *Sigel* that the plasma, even if generated in a localized manner, ever reaches the surface of the object being treated and, even if it reaches the object being treated, is capable of causing any measurable effect, such as gloss reduction.

The Examiner contends that *McComas* discloses the use of plasma treatments in the context of automobile components. The Examiner refers to “paragraph 9 in the Background” for a teaching of gloss reduction. Paragraph 9 of the Background in *McComas* is found at column 2, lines 30-48, which does not discuss either plasmas or gloss reduction. Applicants request that the Examiner supply pinpoint cites in the references in the form of column and line numbers in future communications to avoid ambiguity.

The Background section of *McComas* does discuss the use of plasma treatments to increase adhesion of applied coatings. *See* column 1, line 63 – column 2, lines 9. However, the plasma is not used in gloss reduction. Instead, the plasma treatments are used to oxidize the

polymer surface to increase adhesion. *See* column 2, lines 10-21. A plasma capable of oxidizing a polymer is not inherently capable of gloss reduction. Moreover, *McComas* actually teaches away from using a plasma treatment for any purpose because they “require costly equipment”, “are not suitable for continuous operations” and “can result in inconsistent adhesion performance”. *See* column 2, lines 10-21. Accordingly, a person having ordinary skill in the art would not have modified *Sigel* in the manner suggested by the Examiner. Hence, the Examiner has failed to effectively support *prima facie* obviousness. Therefore, Applicants respectfully request that the rejection be withdrawn.

Furthermore, the combination of *Sigel* and *McComas* fails to disclose “moving the plasma relative to the non-carpeted vehicle floor covering.” The Examiner contends in the Office Action that *Sigel* teaches “use of scanning it taught, as claimed.” Applicants specifically request that the Examiner provide a pinpoint citation in *Sigel* to support for this contention. In the discussion of the electron beam curing step found at column 5, lines 6-51, *Sigel* fails to disclose moving a plasma relative to a non-carpeted floor covering. Because there are unresolved differences between claim 1 and the combination of *Sigel* and *McComas*, Applicants submit that the Examiner has failed to establish *prima facie* obviousness. Therefore, Applicants request that the Examiner withdraw the rejection of independent claim 1.

Because claims 2, 3, and 5-10 depend from independent claim 1, Applicants submit that these claims are also patentable for at least the same reasons discussed above. Furthermore, these claims recite unique combinations of elements not disclosed or suggested by the combined disclosures of *Sigel* and *McComas*.

The Examiner has failed to satisfy the *Graham* factual inquiries with regard to dependent claims 2, 3, and 5-10 as required by MPEP § 2141. The Applicants can find no discussion of the subject matter of these dependent claims whatsoever in the Office Action, much less a discussion that satisfies the threshold requirements of the *Graham* factual inquiries needed to support *prima facie* obviousness. For this additional reason, Applicants request that the Examiner withdraw the rejection as to these dependent claims.

CONCLUSION

Applicants have made a bona fide effort to respond to each and every requirement set forth in the Office Action. In view of the foregoing amendments and remarks, this application is submitted to be in complete condition for allowance. Accordingly, a timely notice of allowance to this effect is earnestly solicited. In the event that any issues remain outstanding, the Examiner is invited to contact the undersigned to expedite issuance of this application.

Applicants do not believe any fees are due in connection with filing this communication. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and is hereby authorized to charge any under-payment or fees associated with this communication, or to credit any over-payment, to Deposit Account No. 23-3000.

Respectfully submitted,
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